

11/16/2015

Anniston, Alabama
November 16, 2015

The City Council of the City of Anniston, Alabama, met in Regular Session in the Council Chamber in the City Hall of the City of Anniston, Alabama, on Monday, November 16, 2015, at approximately 5:39 o'clock p.m.

Lee Shafer, Grace Episcopal, prayed the Invocation.

Lee Shafer, Grace Episcopal, led the Pledge of Allegiance to the Flag.

Mayor Stewart called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Selase, Harris and Stewart; absent: none. A quorum was present and the meeting opened for the transaction of business.

Brian Johnson, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Selase made a motion to waive the reading of the minutes of November 2, 2015. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Jenkins made a motion to approve the minutes of November 2, 2015. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Jenkins made a motion to adopt the agenda. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Jean Ann Oglesby, Farmer's Market Director, stated that the last date they would be open for this year would be this coming Saturday.

Courtney Munford addressed the Council and stated she supported the proposed ordinance concerning cigar bars and stated she hope hookah bars could be included in the ordinance.

The Council recognized Zebedee Lunsford, Anniston High School Cross Country Runner.

Mayor Stewart announced that was the time for the Board Confirmation Hearing for Nan Williams and her nomination to the Anniston/Calhoun Library Board.

Mayor Stewart announced that was the time for the Board Confirmation Hearing for Jerry Oglesby and his nomination to the Anniston/Calhoun Library Board.

11/16/2015

Mayor Stewart announced that was the time for the Board Confirmation Hearing for Scott Skinner and his nomination to the Longleaf Botanical Gardens Board.

Mayor Stewart announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (debris and grass) at the following locations; 4113 Cloverdale, 1804 McKleroy Avenue, 1812 McKleroy Avenue, 2109 Thomas Avenue, 501 Rosewood Avenue, 2631 Walnut Avenue, 2313 McCoy Avenue, 816 Blue Ridge Drive, 2806 and 2804 Norwood Avenue, 2128, 2011, and 2009 McKleroy Avenue, 129 and 131 West 20th Street, 0 Noble Street, 2529 Wilmer Avenue, 405 East 6th Street, 418 South Allen Avenue, 3921 Cross Street North, 3825 George Street, 31 North Street, and 304 E Street; declared the hearing open and asked if anyone wished to address the Council concerning the proposed abatement of identified nuisances (debris and grass) at said locations.

Vanessa McGrath addressed the Council concerning the property located at 1804 McKleroy Avenue and stated she was working on cleaning up this property.

Mayor Stewart asked if anyone else wished to address the Council concerning the proposed abatement of identified nuisances (debris and grass) at said locations.

No one else addressed address the Council concerning the proposed abatement of identified nuisances (debris and grass) at said locations.

Mayor Stewart declared the public hearing to hear objections to the proposed abatement of identified nuisances (debris and grass) at the following locations; 4113 Cloverdale, 1804 McKleroy Avenue, 1812 McKleroy Avenue, 2109 Thomas Avenue, 501 Rosewood Avenue, 2631 Walnut Avenue, 2313 McCoy Avenue, 816 Blue Ridge Drive, 2806 and 2804 Norwood Avenue, 2128, 2011, and 2009 McKleroy Avenue, 129 and 131 West 20th Street, 0 Noble Street, 2529 Wilmer Avenue, 405 East 6th Street, 418 South Allen Avenue, 3921 Cross Street North, 3825 George Street, 31 North Street, and 304 E Street; closed.

Mayor Stewart announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (emergency nuisance pool and dangerous wall) at 907 Glenwood Terrace; declared the hearing open and asked if anyone wished to address the Council concerning the proposed abatement of identified nuisances (emergency nuisance pool and dangerous wall) at 907 Glenwood Terrace.

Tana Bryant, Code Enforcement, addressed the Council on behalf of the owner, Ann Bailey, and stated Ms. Bailey was requesting an extension until she had a ruling from the Zoning Board of Adjustments.

Mayor Stewart asked if anyone else wished to address the Council concerning the proposed abatement of identified nuisances (emergency nuisance pool and dangerous wall) at 907 Glenwood Terrace.

No one else addressed the Council concerning the proposed abatement of identified nuisances (emergency nuisance pool and dangerous wall) at 907 Glenwood Terrace.

Mayor Stewart declared the public hearing to hear objections to the proposed abatement of identified nuisances (emergency nuisance pool and dangerous wall) at 907 Glenwood Terrace closed.

Council Member Selase made a motion to approve the Consent Agenda items as listed below:

- (a) Authorizing the reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Resolution appointing member(s) to the Anniston-Calhoun County Library Board.
- (c) Resolution appointing a member to the Longleaf Botanical Gardens Board.
- (d) Resolution over-ruling objections to the abatement of identified nuisances. Group 2015-07 Grass and Debris
- (e) Resolution over-ruling objections to the abatement of identified nuisances. Group 2015-02 Emergency Nuisance Pool and Dangerous Wall.
- (f) Resolution declaring a reported condition to be a public nuisance. Group 2015-08 Grass and Debris
- (g) Motion to approve the addition of job descriptions for Probation Manager; Probation Officer and Recreation Aide to the Classification and Pay Plan.

The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Jenkins made a motion for the unanimous consent of the Council to introduce and read by title Resolution Number 15-R-172. The motion was seconded by Council Member Harris.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Resolution Number 15-R-172.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Resolution Number 15-R-172.

On call of the roll on Council Member Jenkins' motion for the unanimous consent of the Council to introduce and read by title Resolution Number 15-R-172 and Council Member Harris' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Resolution Number 15-R-172, Council Member Jenkins introduced and read Resolution Number 15-R-172 by title as follows:

(15-R-172, authorizing a Municipal Sales Tax Rebate Agreement by the City and Xtreme Concepts, Inc.)

11/16/2015

Council Member Selase made a motion for the passage and adoption of Resolution Number 15-R-172 as introduced and read by title. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 15-R-172 was passed and adopted.

Council Member Jenkins introduced and read Ordinance Number 15-O-15 as follows:

(15-O-15, amendment to Stormwater User Fee Charge Ordinance)

Council Member Jenkins made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-15 as introduced and read. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been given for the immediate consideration of Ordinance Number 15-O-15 as introduced and read, Council Member Selase made a motion for the passage and adoption of Ordinance Number 15-O-15 as introduced and read. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Ordinance Number 15-O-15 was passed and adopted.

Council Member Reddick introduced and read Ordinance Number 15-O-16 as follows:

(15-O-16, amending Section 28 ½ Article I of the City Code to allow for and regulate the operation of Cigar Bars within the City)

Council Member Reddick made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-16 as introduced and read. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, and Harris; nays: Council Members Selase and Stewart. The motion failed.

Council Member Selase introduced and read Ordinance Number 15-O-17 as follows:

(15-O-17, amending Chapter 14, Article I of the City Code providing license and privilege taxes)

Council Member Selase made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-17 as introduced and read. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been given for the immediate consideration of Ordinance Number 15-O-17 as introduced and read, Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 15-O-17 as introduced and read. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Ordinance Number 15-O-17 was passed and adopted.

11/16/2015

Council Member Selase introduced and read Ordinance Number 15-O-18 as follows:

(15-O-18, authorizing the establishment of an Annual Fee Schedule)

Council Member Selase made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-18 as introduced and read. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been given for the immediate consideration of Ordinance Number 15-O-18 as introduced and read, Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 15-O-18 as introduced and read. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Selase, Harris and Stewart; nays: none; abstentions: Council Member Reddick. The motion carried and Ordinance Number 15-O-18 was passed and adopted.

Council Member Selase made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 15-O-19. The motion was seconded by Council Member Harris.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 15-O-19.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 15-O-19.

On call of the roll on Council Member Selase's motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 15-O-19 and Council Member Harris' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Ordinance Number 15-O-19, Council Member Selase introduced and read by title Ordinance Number 15-O-19 as follows:

(15-O-19, amending Section 15.54 of the City Code removing traffic signals)

Council Member Selase made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-19 as introduced and read by title. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 15-O-19 as introduced and read by title, Council Member Selase made a motion for the passage and adoption of Ordinance Number 15-O-19 as introduced and read by title. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and

11/16/2015

Stewart; nays: none. The motion carried and Ordinance Number 15-O-19 was passed and adopted.

Council Member Reddick stated he felt they should remove the traffic signal at 15th Street and Cooper Avenue.

Council Member Jenkins made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 15-O-20. The motion was seconded by Council Member Harris.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 15-O-20.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 15-O-20.

On call of the roll on Council Member Jenkins' motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 15-O-20 and Council Member Harris' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Ordinance Number 15-O-20, Council Member Jenkins introduced and read by title Ordinance Number 15-O-20 as follows:

(15-O-20, amending Section 15.56 of the City Code adding three way stop intersections)

Council Member Selase made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-20 as introduced and read by title. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 15-O-20 as introduced and read by title, Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 15-O-20 as introduced and read by title. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Ordinance Number 15-O-20 was passed and adopted.

Council Member Reddick made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 15-O-21. The motion was seconded by Council Member Selase.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 15-O-21.

11/16/2015

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 15-O-21.

On call of the roll on Council Member Reddick's motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 15-O-21 and Council Member Selase's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Ordinance Number 15-O-21, Council Member Jenkins introduced and read by title Ordinance Number 15-O-21 as follows:

(15-O-21, amending Section 15.57 of the City Code adding four way stop intersections)

Council Member Selase made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-21 as introduced and read by title. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 15-O-21 as introduced and read by title, Council Member Harris made a motion for the passage and adoption of Ordinance Number 15-O-21 as introduced and read by title. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Ordinance Number 15-O-21 was passed and adopted.

Council Member Harris thanked everyone for attending the meeting.

Council Member Selase stated he felt that the proposed ordinance to allow for and regulate the operation of Cigar Bars within the city could compromise the integrity of the comprehensive smoke free ban in the city. He stated this revision could lead to other bars wanting to have smoking allowed in their establishments. He stated there had been a smoking bar previously in the city that had not been successful.

Council Member Reddick stated he was just happy to serve.

Council Member Jenkins stated he did support the cigar bars and he did see it as a singular item. He stated he did not support further changes to the smoking ordinance but he did feel this change had been properly vetted and the business owner was willing to put a significant investment into the community.

Mayor Stewart stated that Pot of Manna would be serving Thanksgiving dinner at the Carver Community Center. He stated they would be dedicating Michael Tucker Park Campgrounds on December 8.

11/16/2015

There being no further business to come before the meeting at that time Council Member Selase made a motion the meeting be adjourned. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and the meeting was adjourned at approximately 6:31 o'clock p.m.